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January 6, 2021

VIA ECF

The Honorable Denise Cote
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1910
New York, New York 10007

MEMO ENDORSED

Re: ***United States v. Kee***
98 Cr. 778 (DC)

Dear Judge Cote:

We write on behalf of our client Charles Michael Kee in connection with the above-captioned matter and specifically Mr. Kee's petition in support of his successive petition challenging his conviction under 18 U.S.C. § 924(c). We request, with the government's consent, a brief additional extension to allow our client to review the draft submission that we intend to file.

We previously requested an extension of time to file appropriate pleadings in connection with Mr. Kee's petition until January 8, 2021. In the intervening time, we have been able to discuss this matter further with Mr. Kee, who is currently incarcerated, secure and review materials relevant to his criminal case, communicate with the government and conduct necessary research. We have completed a draft of our submission on his behalf and we have sent this submission via mail to Mr. Kee this week.

We respectfully request an additional extension of time to review our draft submission with our client prior to filing. Our brief is currently due on January 8, 2021. Assuming Mr. Kee receives our draft in the ordinary course, we will of course work promptly to discuss it with him and proceed to file our submission on his behalf. We anticipate that we will be able to file our submission no later than February 8, 2021, if not sooner.


This is the second request for an extension of time for this deadline. Should Your Honor grant this request, our submission on Mr. Kee's behalf would be due on February 8, 2021. The opposition brief would be due on April 12, 2021, and the reply brief would be due on May 9, 2021, if the subsequent due dates are also extended in a similar manner. These are the only dates that would be affected by the proposed extension.

The Honorable Denise Cote
January 6, 2020

Thank you for Your Honor's consideration of this request.

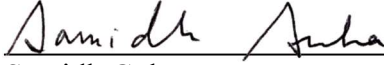
Granted. The proposed schedule
governs.

Dated: January 7, 2021



DENISE COTE
United States District Judge

Respectfully Submitted,



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cc: AUSA Micah F. Fergenson